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Letter dated 3 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from Sierra Leone, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you could arrange for the text of the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

03-27514 (E) 120303

Annex

Letter dated 19 February 2003 from the Deputy Permanent Representative of Sierra Leone to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

On instructions from my Government, I have the honour to transmit herewith a report to the Counter-Terrorism Committee pursuant to paragraph 6 of Security Council resolution 1373 (2001) (see enclosure).

The Government of Sierra Leone, through its National Counter-Terrorism Committee and the Permanent Mission to the United Nations, will cooperate with the Counter-Terrorism Committee in the fulfilment of the latter's mandate under resolution 1373 (2001).

(*Signed*) Sylvester Ekundayo **Rowe**
Ambassador, Deputy Permanent Representative

Enclosure

Report of the Government of Sierra Leone on the implementation of Security Council resolution 1373 (2001) concerning counter-terrorism

I. Introduction

The Government of Sierra Leone has always been concerned about the evil Nature of terrorism in all its forms and manifestations within and across national frontiers. This concern became more serious over a period of eleven years when innocent civilians in Sierra Leone became victims of large-scale brutality and terrorism, perpetrated by a relatively small group of individuals, with the direct support of a network of regional and international arms and diamond criminals.

In his address to the fifty-second session of the General Assembly, President Kabbah had drawn the attention of the international community to the "systematic terror" being inflected by the rebels against innocent civilians, including children. He repeatedly called for international assistance in ending the rain of terror that was being fueled by the illegal exploitation and sale of the country's diamonds.

Conscious of the link between rebel atrocities and the illegal trade in arms and diamonds, Sierra Leone regards all those who are engaged in the illicit trade in arms and so-called "blood diamonds" as sponsors of terrorism.

The Government of Sierra Leone is of the view that the Security Council has a pivotal role to play in international efforts to counteract terrorism in all its forms and manifestations. These efforts must be taken in accordance with the Charter of the United Nations and international law.

In 2000, and notwithstanding heavy loss of national revenue, the Government agreed to suspend the export of diamonds until its national certificate of origin regime was in place, pursuant to Security Council resolution 1306 (2000). The measures already taken by the Government within its limited means to implement the certificate of origin regime system for Sierra Leone diamonds, should also contribute to the elimination of "blood diamonds", and break their links with illicit arms and terrorism.

Sierra Leone therefore welcomed the response of the Security Council to the horrendous terrorist acts of 11 September 2001, in New York, Washington and Pennsylvania. The adoption of resolution 1373 (2001) was a landmark decision which deserves the support of and implementation by all States and individuals who cherish the sanctity of human life.

A few weeks following the tragic events of 11 September 2001 and the adoption of resolution 1373 (2001), President Kabbah registered Sierra Leone's commitment to the struggle against terrorism by participating in the African Summit against Terrorism convened by President Abdoulaye Wade, in Dakar. Sierra Leone endorsed the Dakar Declaration Against Terrorism in which the African Heads of State present solemnly registered their abhorrence of acts of terrorism and committed themselves to work with others in the global effort to suppress such acts in all their forms and manifestations.

At the moment, the Republic of Sierra Leone has no specific legislation on the prevention and suppression of terrorism. However, a number of offences under its Criminal Code and Criminal Procedure Act 1965, such as murder, extortion, currency smuggling, the illegal possession of firearms and ammunition, may be generally applicable to acts of terrorism.

II. Summary of measures and concrete action already taken or envisaged to counter terrorism relevant to the provisions of Security Council Resolution 1373 (2001)

Sierra Leone has signed and/or ratified the following international instruments related to counter-terrorism:

- The 1963 Tokyo Convention on Offences and Certain Other Acts Committed on Board Aircraft. Sierra Leone signed the Convention on 9 November 1970, and ratified it on 7 February 1971

- The 1970 Hague Convention for the Suppression of Unlawful Seizure of Aircraft. Sierra Leone signed the Convention on 19 July 1971, and ratified it on 13 November 1974.

- The 1971 Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. Sierra Leone ratified the Convention on 20 September 1979

- The International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly on 9 December 1999. Sierra Leone signed the Convention on 27 November 2001

Consistent with its international obligation to comply with the provisions of resolution 1373 (2001), the Government has already initiated steps, through the necessary legislative procedures to sign, ratify or accede to the following international instruments related to counter terrorism:

- The 1994 Convention on the Safety of United Nations and Associated Personnel, adopted by the UN General Assembly on 9 December 1994;

- The International Convention for the Suppression of Terrorist Bombings, adopted by the UN General Assembly on 15 December 1997;

- The Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the UN General Assembly on 14 December 1973;

- The International Convention against the Taking of Hostages, adopted by the UN General Assembly on 17 December 1979.

- The 1988 Rome Convention for the Suppression of Unlawful Acts against the safety of Maritime Navigation;

- The 1991 Montreal Convention on the Marking of Plastic Explosives for the Purpose of Detection;

- The Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. Signed in Montreal on 24 February 1988;

- The Convention of the Organization of Islamic Conference on Combating International Terrorism, adopted in Ouagadougou on 1 July 1999;

- The 2000 Palermo Convention Against Transnational Organized Crime, and its two additional protocols;

- The Third Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplement to the Palermo Convention, adopted by the UN General Assembly on 31 May 2001.

Sierra Leone has signed and/or ratified the following regional, sub-regional and bilateral instruments related directly or indirectly to counter-terrorism:

- The 1999 OAU Convention on the Prevention and Combating of Terrorism in Africa, adopted in Algiers on 14 July 1999, which entered into force on 6 December 2002;

- The ECOWAS Non-Aggression Protocol signed in Lagos on 22 April 1978;

- The ECOWAS Convention on Extradition, signed in Abuja on 6 August 1994;

- The ECOWAS Protocol on Mutual Legal Assistance in matters relating to Defence, signed in Freetown on 29 May 1981;

- The ECOWAS Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, signed in Lome on 10 December 1999, which includes a provision in Article 46 for close cooperation among security services of member States in the Control of Trans-Border Crimes;

- The Convention on Mutual Assistance in Criminal Matters, signed in Dakar on 29 July 1992;

- The 1998 ECOWAS Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons;

- The Fifteenth Protocol to the Mano River Union Declaration on Defence and Security signed on 9 May 2000;

- The 1964 Judicial Convention between the State of Sierra Leone and the Republic of Guinea.

Sierra Leone acknowledges the fact that nuclear material in the hands of terrorists could pose a serious threat to international peace, safety and security. It will therefore soon take legislative action to ratify its 1991 Safeguards Agreement with the International Atomic Energy Agency (IAEA), in accordance with Article 3 of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). It will also sign the Convention on the Physical Protection of Nuclear Material, adopted in Vienna on 26 October 1979.

III. Other action

In response to resolution 1373 (2001), Sierra Leone has established a high level National Committee on Counter-Terrorism (NCTC) comprising the following membership:

1. The Financial Secretary
2. The Governor, Bank of Sierra Leone
3. The Director-General, Ministry of Foreign Affairs and International Cooperation
4. The Inspector-General of Police
5. The Controller of Customs and Excise
6. The Chief Immigration Officer
7. The Coordinator, Office of National Security
8. The Head of Drug Law Enforcement Agency
9. The Registrar, National Registration Secretariat
10. The Permanent Secretary, Ministry of Mineral Resources

11. The Permanent Secretary, Ministry of Transport and Communications.

As a signatory of the 1999 Algiers Convention on the Prevention and Combating of Terrorism, Sierra Leone participated in the African Union High-level Inter-Governmental meeting convened in Algiers from 11-14 September 2002, to facilitate the entry into force of the Convention.

In November 2002, officials from the Departments of Immigration, Custom and the Police, as well as from the Office of National Security (ONS), participated in a seminar on legislation to counter terrorism, organized jointly by the United States Departments of State, Justice and Commerce.

Sierra Leone has since June 2001 introduced new sets of machine-readable passports. The passports are issued under strict procedures in accordance with current nationality laws to ensure that Sierra Leonean passports do not fall into the hands of criminals and other terrorists. The Office of National Security (ONS) has been given oversight functions to ensure strict compliance with the procedures and processes for the issuance of the new passports. Also, Government has made the possession of a national identity card a requirement for the issuance of the new machine-readable passports to Sierra Leoneans.

Strict border control measures have also been put in place to effectively monitor the inflow and outflow of people on all borders. These include strict entry visa requirements.

The Government is aware of current trends in the global effort to combat money laundering and other financial crimes. Accordingly, through the Customs and Excise Department (now a component of the National Revenue Authority), and in cooperation with other law enforcement agencies, it has put in place a number of new measures including the following, at the Lungi International Airport:

- Baggage, especially from locations notorious for drug smuggling and terrorist activities, are subject to random selection for thorough examination;

- Suspected passengers are subject to rigorous interviewing;

- Passengers are prevented from having close contact with airport workers in order to discourage connivance which leads to smuggling and other criminal acts;

- Other law enforcement agencies such as the Police and Pharmacy Board personnel, witness the examination of luggage and baggage to ensure compliance with current laws relating to smuggling, and the prevention of the illegal importation and circulation of dangerous drugs and weapons.

While Sierra Leone has been a victim of acts of terrorism, and while it endorses the universal condemnation of such acts, the Government is of the view that a legal definition of terrorism is now overdue. Sierra Leone will continue to participate actively in the drafting of a comprehensive International Anti-Terrorism Convention, as well as in current discussions on a definition of terrorism.

IV. Conclusion

The Government of Sierra Leone reaffirms its commitment to join in international efforts to combat terrorism through international law and national legislation. At the same time it acknowledges that such efforts, including the measures contained in resolution 1373 (2001), are extremely complex and require considerable human and financial resources. Effective monitoring and enforcement of existing and forthcoming counter-terrorism legislation can be overwhelming for Sierra Leone and other developing or least developed countries.

Measures to combat terrorism should be considered by every country in the context of both national and international security, and be accorded the highest priority. However, the Government of Sierra Leone is of the view that the effectiveness of those measures would depend on, among other things, the level of international technical assistance available to countries such as Sierra Leone in the drafting and updating of relevant legislation, and the level of assistance in the areas of security personnel training, and the acquisition and maintenance of security/surveillance and counter-terrorism equipment.